

IMPJ-0003D1 (033327-056)

USPTO

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John D. Hyde et al. 2007 SEP 14 PM 3:42

SERIAL NO.: 10/661,037 CONFIRMATION NO.: 6704

FILING DATE: September 12, 2003

TITLE: P-FET SYNAPSE TRANSISTOR WITH STRUCTURE FOR  
FACILITATING CHARGE INJECTION AND/OR TUNNELING WITH  
RESPECT TO A FLOATING GATE

EXAMINER: Soward, Ida M.

ART UNIT: 2822

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I hereby certify that this paper is being deposited with the United States Postal Service as First Class Mail  
in an envelope addressed to: Mail Stop 16, Commissioner for Patents, P.O. Box 1450  
Alexandria, VA 22313-1450, on the date printed below:

Date: 9/10/07 Name: Sharon E. Byam  
Sharon E. Byam

MAIL STOP: 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST FOR REFUND OF FEES

Dear Sir:

Applicant respectfully requests that the United States Patent and Trademark office issue a  
refund in the amount of \$120.00, to: THELEN REID BROWN RAYSMAN & STEINER LLP,  
Deposit Account No. 50-1698 which we believe was charged in error on July 13, 2007 by the  
United States Patent and Trademark Office as follows: \$120.00 for Code 1251, representing  
charges for filing a response within the first month of extension of time (Posting Entry No.  
10661037). A copy of the Deposit Account Statement is enclosed as Exhibit A.

Applicant filed a Revised Appeal Brief in response to the Notification of Non-Compliant Appeal Brief dated May 2, 2007, wherein Applicant was given one month in which to file a response. The Revised Appeal Brief was thereafter filed on June 4, 2007, a Monday. It is respectfully submitted that since the one month time period of June 2, 2007 fell on a Saturday, no extension of time was required to be filed or paid by Applicant. Copies of the Notification of Non-Compliant Appeal Brief, the Response to Notification of Non-Compliant Appeal Brief, Transmittal Letter and postcard showing receipt of this filing are enclosed for your convenience.

Applicant, hereby requests that \$120.00 which was charged in error be refunded to our Deposit Account No. 50-1698 as soon as possible. Please call the undersigned at the number below if you have any questions regarding this matter.

Respectfully submitted,

THELEN REID BROWN RAYSMAN & STEINER LLP

Dated: September 10, 2007

  
Khaled Shami  
Reg. No. 38,745

THELEN REID BROWN  
RAYSMAN & STEINER LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Telephone: (408) 292-5800  
Facsimile: (408) 287-8040

## EXHIBIT "A"



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Page**Deposit Account Statement**

**Requested Statement Month:** July 2007  
**Deposit Account Number:** 501698  
**Name:** THELEN REID BROWN RAYSMAN & STEINER LLP.  
**Attention:** CATHY ELCHINOFF  
**Street Address 1:** 225 W. SANTA CLARA STREET  
**Street Address 2:** 12TH FLOOR  
**City:** SAN JOSE  
**State:** CA  
**Zip:** 95113-1723  
**Country:** UNITED STATES

DATE SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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## Deposit Account Statement

Page 2 of 2

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07/24 78	11496850	CISCO-14894	1814	\$130.00	\$27,143.00
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START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
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REVIEWED BY DOCKET

Serial/Patent. No.: 10/661,037

Filing/Issue Date: 09/12/2003

Applicant: John D. Hyde et al.

Title: pFET SYNAPSE TRANSISTOR WITH STRUCTURE FOR FACILITATING CHARGE INJECTION AND/OR  
TUNNELING WITH RESPECT TO A FLOATING GATE

Docket No.: IMPJ-0003D1

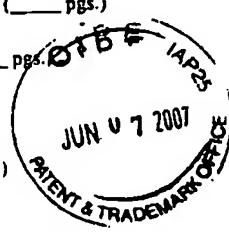
Atty/Secty Initials: DBR/KS/TVZ/ja

Date Mailed: 06/04/2007

Docket Due Date: 06/02/2007

The following has been received in the U.S. Patent &amp; Trademark Office on the date stamped hereon:

Amendment/Response (\_\_\_\_ pgs.)  IDS & PTO 1449 (\_\_\_\_ pgs.)  
 Revised Appeal Brief (26 pgs.)  \_\_\_\_ Pieces of Prior Art Enclosed  
 Application - Utility (\_\_\_\_ pgs. with cover & abstract)  Issue Fee Transmittal  
 Application - Rule 1.53(b) Continuation (\_\_\_\_ pgs.)  Submission of Formal Drawings:  
 Application - Rule 1.53(b) Division (\_\_\_\_ pgs.)  \_\_\_\_\_ # of sheets includes \_\_\_\_\_ figures  
 Application - Rule 1.53(b) CIP (\_\_\_\_ pgs.)  Notice of Appeal  
 Application - Rule 1.53(d) CPA (\_\_\_\_ pgs.)  Postcard  
 Application - PCT (\_\_\_\_ pgs.)  Preliminary Amendment (\_\_\_\_ pgs.)  
 Application - Provisional (\_\_\_\_ pgs.)  Reply Brief (\_\_\_\_ pgs.)  
 Assignment and Cover Sheet  Req. and Cert. Not to Publish - Rule 1.213  
 Certificate of Correction  Request for Continued Examination (RCE) (\_\_\_\_ pgs.)  
 Certificate of Mailing  Request for Extension of Time \_\_\_\_\_ Month(s)  
 Declaration & POA (\_\_\_\_ pgs.)  Response to Notice to File Missing Parts  
 Fee Transmittal  Copy of PTO Notice to File Missing Parts  
 Drawings (informal):  Transmittal Letter  
 \_\_\_\_\_ # of sheets includes \_\_\_\_\_ figures  Express Mail No.: \_\_\_\_\_  
 Other:  Credit Card Transmittal for \$ \_\_\_\_\_  
 Response to Notification of Non-Compliant Appeal Brief (2 pgs.)  Deposit Acct. No. 50-1698 \$ \_\_\_\_\_  
 Patent Code: \_\_\_\_\_  
 Client/Matter # 033327-056



## Best Available Copy

PTO/SB/21 (09-06)

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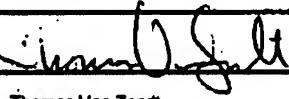
(to be used for all correspondence after initial filing)

Total Number of Pages In This Submission	28	Attorney Docket Number	IMPJ-0003D1 (033327-056)
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## ENCLOSURES (check all that apply)

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<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm	Thelen Reid Brown Rayman & Steiner LLP		
Signature			
Printed Name	Thomas Van Zandt		
Date	06/04/2007	Reg. No.	43,218

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Signature	
Typed or printed name	Julie Arango
Date	06/04/2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT  
 Serial No. 10/661,037  
 Atty. Docket No. IMPJ-0003D1 (033327-056)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	John D. Hyde et al.	CONFIRMATION NO.:	6704
SERIAL NO.:	10/661,037		
FILING DATE:	09/12/2003		
TITLE:	pFET SYNAPSE TRANSISTOR WITH STRUCTURE FOR FACILITATING CHARGE INJECTION AND/OR TUNNELING WITH RESPECT TO A FLOATING GATE		
EXAMINER:	Soward, Ida M.		
ART UNIT:	2822		

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Date: 06/04/2007Name: Julie Arango

Julie Arango

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RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF

Sir:

In response to the Notification of Non-Compliant Appeal Brief mailed May 2, 2007, enclosed please find a revised Appeal Brief in compliance with 37 C.F.R. 41.37.

Please charge any additional required fee or credit any overpayment not otherwise paid or credited to our deposit account No. 50-1698.

Respectfully submitted,  
 THELEN REID BROWN RAYSMAN & STEINER LLP

Thomas Van Zandt  
 Thomas Van Zandt  
 Reg. No. 43,219

Dated: 06/04/2007

THELEN REID BROWN RAYSMAN & STEINER LLP  
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33327-56

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/661,037	09/12/2003	Patent Docket:	IMPJ-0003D1	6704
49684	7590	05/02/2007	EXAMINER	
IMPJ - THELEN REID BROWN RAYSMAN & STEINER LLP P.O. BOX 640640 SAN JOSE, CA 95164-0640			ART UNIT	PAPER NUMBER

DATE MAILED: 05/02/2007

Please find below and/or attached an Office communication concerning this application or proceeding.

ACTION DUE: Ntc Noncompliant + Amdt Due  
 DUE/RMR DATE: 6/12/107  
 DEADLINE DATE: 9/12/107  
 DOCKETED BY: (IR)

<b>Notification of Non-Compliant Appeal Brief (37 CFR 41.37)</b>	Application No.	Applicant(s)
	10/661,037	HYDE ET AL.
	Examiner Soward, Ida M.	Art Unit 2822

*—The MAILING DATE of this communication appears on the cover sheet with the correspondence address—*

The Appeal Brief filed on 27 February 2007 is defective for failure to comply with one or more provisions of 37 CFR 41.37.

To avoid dismissal of the appeal, applicant must file an amended brief or other appropriate correction (see MPEP 1205.03) within **ONE MONTH or THIRTY DAYS** from the mailing date of this Notification, whichever is longer. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136.**

1.  The brief does not contain the items required under 37 CFR 41.37(c), or the items are not under the proper heading or in the proper order.
2.  The brief does not contain a statement of the status of all claims, (e.g., rejected, allowed, withdrawn, objected to, canceled), or does not identify the appealed claims (37 CFR 41.37(c)(1)(iii)).
3.  At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 41.37(c)(1)(iv)).
4.  (a) The brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, referring to the specification by page and line number and to the drawings, if any, by reference characters; and/or (b) the brief fails to: (1) identify, for each independent claim involved in the appeal and for each dependent claim argued separately, every means plus function and step plus function under 35 U.S.C. 112, sixth paragraph, and/or (2) set forth the structure, material, or acts described in the specification as corresponding to each claimed function with reference to the specification by page and line number, and to the drawings, if any, by reference characters (37 CFR 41.37(c)(1)(v)).
5.  The brief does not contain a concise statement of each ground of rejection presented for review (37 CFR 41.37(c)(1)(vi)).
6.  The brief does not present an argument under a separate heading for each ground of rejection on appeal (37 CFR 41.37(c)(1)(vii)).
7.  The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 41.37(c)(1)(viii)).
8.  The brief does not contain copies of the evidence submitted under 37 CFR 1.130, 1.131, or 1.132 or of any other evidence entered by the examiner and relied upon by appellant in the appeal, along with a statement setting forth where in the record that evidence was entered by the examiner, as an appendix thereto (37 CFR 41.37(c)(1)(ix)).
9.  The brief does not contain copies of the decisions rendered by a court or the Board in the proceeding identified in the Related Appeals and Interferences section of the brief as an appendix thereto (37 CFR 41.37(c)(1)(x)).
10.  Other (including any explanation in support of the above items):

No page and line numbers in the Summary of Claimed Subject Matter section of the brief.



LaShawn Hinton

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Total Number of Pages in This Submission 10 Attorney Docket Number IMPJ-0003D1 (033327-056)

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<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input checked="" type="checkbox"/> Request for Refund	Copies of: Deposit Account Statement; Not. of Non-Compliant Appeal Brief; Res. to Not. of Non-Compl. Appeal Brief; Trans. Ltr; and return postcard
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name THELEN REID BROWN RAYSMAN &amp; STEINER LLP

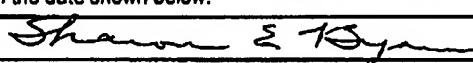
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Printed Name Khaled Shami

Date September 10, 2007 Reg. No. 38,745

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Signature 

Typed or printed name Sharon E. Byam

Date September 10, 2007

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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